



**Before The  
State Of Wisconsin  
DIVISION OF HEARINGS AND APPEALS**

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In the Matter of the Application of Waupaca  
County to Abandon and Remove the Little Hope  
Dam on the Crystal River, Town of Dayton,  
Waupaca County

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Case No. DNR-14-024  
(IP-NE-2013-03596)

**NOTICE OF PUBLIC HEARING  
AND  
ORDER FOR PUBLICATION**

Waupaca County is the owner of the Little Hope Dam which is located on the Crystal River, in the NW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  of Section 1, Township 21 North, Range 11 East, in the Town of Dayton, Waupaca County. Waupaca County has applied to the Department of Natural Resources (Department) to abandon and remove the dam.

The Department issued Notice of Proposed Dam Abandonment and Removal on March 4, 2014, which stated that unless written objection was made within 30 days of publication the Department may issue a decision without a hearing.

On March 18, 2014, the Department received a request for a contested case hearing from Attorney Paul W. Rosenfeldt on behalf of Richard C. Abb, Steven and Carolyn Danielson, George and Arlene Golding, Phyllis Hunt, Charles and Cynthia Johnson, Charles and Juel Krueger, Randolph and Patricia McCarry, David Smith, William and Jean Minks and Rob and Susan Richardson. By letter dated April 2, 2014, the Department granted the request for hearing.

On April 4, 2014, the Division of Hearings and Appeals received the Request for Hearing from the Department of Natural Resources.

NOTICE IS HEREBY GIVEN that the State of Wisconsin Division of Hearings and Appeals will hold a public hearing pursuant to Wis. Stat. §§ 31.06 and 31.185 commencing at 10:30 a.m. on June 3, 2014, in Room A (Lower Level) at the Waupaca Area Public Library, 107 South Main Street, Waupaca, Wisconsin. The hearing will continue, if necessary, on June 4, 2014, at the same location. The issues for hearing are whether the application of abandonment and removal shall be granted or denied and, if it is granted, whether the applicant shall be required to comply with any conditions in order to preserve the public interest in navigable waters, to promote public safety, and to protect life, health and property.

The hearing will be a Class 1 contested case pursuant to Wis. Stat. § 227.01(3)(a) and the fair play provisions of Wis. Stat. ch. 227 will apply. The procedures relating to contested cases set forth in Wis. Admin. Code ch. NR 2 will be followed. The procedure that will be followed at the public hearing will closely resemble that normally followed at a court hearing. All parties are advised that they have the right to seek the aid and assistance of legal counsel and to be represented by legal counsel at the public hearing.

Pursuant to the Americans With Disabilities Act, reasonable accommodations will be made to any qualified individual upon request. Please call the Division of Hearings and Appeals at (608) 266-3865 with specific information on your request prior to the date of the scheduled hearing.

### ORDER

THE DIVISION, THEREFORE, ORDERS:

That the applicant, Waupaca County, shall cause a copy of the foregoing Notice to be published once at least one week before the date of hearing in the "Waupaca County Post West", 600 Industrial Drive, Waupaca, Wisconsin. The applicant shall furnish proof of such publication to the Division of Hearings and Appeals by **Friday, May 30, 2014**.

Dated at Madison, Wisconsin on April 10, 2014.

STATE OF WISCONSIN  
DIVISION OF HEARINGS AND APPEALS  
5005 University Avenue, Suite 201  
Madison, Wisconsin 53705  
Telephone: (608) 266-7709  
FAX: (608) 264-9885

By: \_\_\_\_\_  
Jeffrey D. Boldt  
Administrative Law Judge